UNITED
NATIONS

HRI

International
Human Rights
Instruments

Distr.
GENERAL

HRI/MC/1995/2
15 August 1995

Original: ENGLISH

Sixth Meeting of Chairpersons
of Treaty Bodies
Geneva, 18-22 September 1995
Item 6 of the provisional agenda

IMPROVING THE OPERATION OF THE HUMAN RIGHTS TREATY BODIES

Report of the Secretary-General

Introduction

1. In its resolution 37/44 of 3 December 1982, the General Assembly decided to include on its agenda the question of the reporting obligations of States parties under United Nations human rights instruments. Since then, the General Assembly has considered and expressed its concern over problems relating to the reporting obligations under various human rights instruments, as well as their effective monitoring by the bodies created under them, and at subsequent sessions has adopted relevant resolutions reflecting such concerns (most recently, General Assembly resolutions 48/120 and 49/178).

2. The first meeting of the Chairpersons of the bodies entrusted with the consideration of reports submitted under the relevant human rights instruments took place at Geneva on 16 and 17 August 1984. The results of that meeting are contained in document A/39/484. The Second, Third, Fourth and Fifth Meetings of the Chairpersons were held at Geneva from 10 to 14 October 1988, from 1 to 5 October 1990, from 12 to 16 October 1992, and from 19 to 23 September 1994, respectively. The reports of those meetings are contained in documents A/44/98, A/45/636, A/47/628 and A/49/537. The Sixth Meeting of Chairpersons has been convened by the Secretary-General pursuant to General Assembly resolution 49/178, which endorsed the recommendation of the chairpersons that their meetings henceforth be held annually.

Follow-up action on the conclusions and recommendations of the Fifth Meeting of Chairpersons

3. The report of the Fifth Meeting of Chairpersons was considered by the General Assembly at its forty-ninth session. Developments relating directly to the issues discussed and the conclusions and recommendations contained in the report are discussed below.

1. Promotion of the international human rights instruments

(a) Towards universal ratification

4. The World Conference on Human Rights recommended that, when the General Assembly reviews the progress achieved in implementing the Vienna Declaration and Programme of Action in 1998 on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, special attention should be paid to assessing the progress made towards the goal of universal ratification. The Conference also recommended that the Secretary-General, in consultation with the treaty bodies, consider opening a dialogue with States not having acceded to international human rights treaties, in order to identify obstacles and to seek ways of overcoming them.

5. In accordance with the recommendation of the World Conference, the Secretary-General, in September 1994, sent letters to all Member States which had not ratified all of the principal human rights treaties to encourage them to do so at the earliest possible date. By 30 June 1995, 23 responses had been received. Regional meetings and studies are being prepared on obstacles that States may encounter in considering the ratification of international human rights instruments and on the issue of reservations.

6. The World Conference also called for universal ratification of the Convention on the Rights of the Child by 1995 and of the Convention on the Elimination of All Forms of Discrimination against Women by the year 2000. Accordingly, in the first half of 1995, the Secretary-General and the High Commissioner for Human Rights sent letters to States which were not parties to the Convention on the Rights of the Child, encouraging them to ratify the Convention. Letters were also sent by the High Commissioner to Resident Representatives of the United Nations Development Programme suggesting, and inviting suggestions on, possible ways to encourage ratification of this instrument. As of 30 June 1995, five Governments had responded. Further efforts towards universal ratification of the Convention on the Rights of the Child are being jointly and actively pursued by the Secretary-General, UNICEF, the High Commissioner for Human Rights and the Committee on the Rights of the Child, including regional consultations and field visits.

7. In addition, the Human Rights Committee, the Committee against Torture, and the Committee on the Elimination of Racial Discrimination actively encourage States parties to make declarations in acceptance of the respective optional articles during their consideration of State party reports.

8. The Commission on Human Rights, in its most recent resolutions on the status of human rights instruments (1995/21, 1995/22, 1995/37 and 1995/79), again urged all States which had not yet done so to accede to the

International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention on the Rights of the Child and to make declarations in favour of the relevant optional articles and optional protocols thereto. In its resolution 1995/85, the Commission stressed that States consider ratifying the Convention on the Elimination of All Forms of Discrimination against Women by the year 2000.

(b) Reservations

9. The World Conference on Human Rights encouraged all States to consider limiting the extent of any reservations they lodged to international human rights instruments, formulate any reservations as precisely and narrowly as possible, ensure that none is incompatible with the object and purpose of the relevant treaty and regularly review reservations with a view to withdrawing them. The Conference also expressed support for finding ways and means of addressing the large number of reservations, specifically to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child and urged States to withdraw reservations that were contrary to the object and purpose of those Conventions.

10. The Committee on the Elimination of Discrimination against Women has on a number of occasions raised the issue of reservations and consistently encouraged States to review and withdraw the reservations they entered upon their ratification of the Convention on the Elimination of All Forms of Discrimination against Women. The Committee has expressed concern regarding the extent to which implementation of the obligations assumed by States parties is impeded by their reservations, and has conveyed its concern on this issue to the States parties, to the Commission on the Status of Women and to the Commission on Human Rights, as well as to the other treaty bodies. It also decided to amend its guidelines for the preparation of initial and periodic reports to request that information on substantive reservations be included in the reports of those States parties that have entered such reservations.

11. The Human Rights Committee and the Committee on the Rights of the Child consistently address the question of reservations made by States parties to the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child during their consideration of State party reports. In their concluding observations after consideration of those reports, the Committees, when necessary, express their concern with regard to reservations of a broad and vague nature or otherwise contrary to international law.

12. At its fifty-second session held in October 1994, the Human Rights Committee adopted its General Comment 24 on issues relating to reservations made upon ratification or accession to the Covenant or the Optional Protocols thereto, or relating to declarations under article 41 of the Covenant. The General Comment identifies those principles of international law that apply to the making of reservations and by reference to which their acceptability is to be tested and their purport to be interpreted. Addressing its own role in

relation to reservations, the Committee made certain recommendations to States parties to review their reservations and also to those States that are not yet parties to international human rights instruments about legal and human rights policy considerations to be borne in mind should they consider ratifying or acceding with reservations.

(c) Succession of States in relation to human rights obligations

13. It may be recalled that the Chairpersons of the human rights treaty bodies, at their Fifth Meeting, expressed the view that successor States are automatically bound by obligations under international human rights instruments from their respective date of independence, and that respect of their obligations should not depend on a declaration of confirmation.

14. In this connection, it may be noted that at its last session, the Commission on Human Rights, in its resolution 1995/18, reiterated its call to successor States which had not yet done so to confirm that they continued to be bound by obligations under international human rights treaties. In the same resolution, the Commission requested the human rights treaty bodies to consider further the continuing applicability of the respective international human rights treaties to successor States, with the aim of assisting them in meeting their obligations.

15. All of the 20 new States successors to the former Yugoslavia and the former Soviet Union, have all confirmed their succession, accession or ratification of at least one of the principal human rights treaties. It may be noted that all of these States have ratified, succeeded or acceded to the Convention on the Rights of the Child. Both the Czech Republic and Slovakia have succeeded to all of the principal treaties that had been ratified by the former Czechoslovakia.

(d) Formulation of new norms and instruments

16. The World Conference on Human Rights called for the elaboration of a number of new norms and instruments. It called, in particular, on the Commission on Human Rights, in cooperation with the Committee on Economic, Social and Cultural Rights, to continue the examination of the issue of optional protocols to the International Covenant on Economic, Social and Cultural Rights. The Committee has begun to draft an optional protocol that would authorize the Committee to receive communications concerning infringements of the economic, social and cultural rights provided for in the Covenant. The Committee considered this matter at its last three sessions and will consider it again at its thirteenth session in November 1995. The Committee expects to be able to submit a draft to the Commission at its fifty-second session in 1996.

17. The World Conference also encouraged the development of additional approaches to strengthen the enjoyment of economic, social and cultural rights, such as a system of indicators to measure progress in the realization of the rights set forth in the International Covenant on Economic, Social and Cultural Rights. The Commission on Human Rights, in its resolutions 1994/20 and 1995/15, recommended that the Centre for Human Rights convene expert seminars for chairpersons of the human rights treaty monitoring bodies and

representatives of specialized agencies and non-governmental organizations, focused on specific economic, social and cultural rights, with a view to clarifying the particular content of those rights. The Economic and Social Council, at its substantive session in July 1995, endorsed this recommendation.

18. With respect to the eradication of torture, the World Conference called for the early adoption of an optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment aimed at establishing a preventive system of regular visits to places of detention, which is under elaboration by an open-ended working group of the Commission on Human Rights. The working group has held three sessions to date and will meet prior to the fifty-second session of the Commission, in 1996, to pursue its work. The Committee against Torture has provided suggestions concerning the draft text of the optional protocol and has designated one of its members as its observer in the sessions of the working group.

19. The World Conference also suggested that the Commission on the Status of Women and the Committee on the Elimination of Discrimination against Women examine the possibility of introducing the right of petition through the preparation of an optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women. The Committee, at its thirteenth session in 1994, requested that the Commission on the Status of Women convene a meeting of independent experts to develop a draft optional protocol to the Convention. At the meeting, which was convened in 1994, experts from different regions with backgrounds in different legal systems prepared a draft optional protocol that served as a basis for discussion at the Committee's fourteenth session in 1995. The results of the Committee's discussion are contained in its Suggestion 7 appearing in its annual report (A/50/38). The Commission on the Status of Women, at its thirty-ninth session in April 1995, considered the Committee's suggestion and requested that the Secretary-General invite Governments and competent organizations to submit their views on this question. The Commission further decided to establish an open-ended working group at its fortieth session in April 1996 to consider the report to be submitted by the Secretary-General.

20. Pursuant to a request emanating from the World Conference on Human Rights, the Committee on the Rights of the Child prepared a preliminary draft optional protocol on the involvement of children in armed conflicts. Pursuant to resolutions 1994/91 of the Commission on Human Rights and 1994/10 of the Economic and Social Council, an open-ended inter-sessional working group of the Commission was established to elaborate such a draft optional protocol on the basis of the preliminary draft prepared by the Committee. The Commission, at its fifty-first session, in its resolution 1995/79, requested the Secretary-General to transmit the report of the working group to Governments, relevant specialized agencies, the Committee on the Rights of the Child and other relevant parties, including Ms. Graça Machel, the expert appointed to undertake the study on the impact of armed conflicts on children, and to invite their comments thereon.

21. Pursuant to *resolutions 1994/90 of the Commission on Human Rights* and 1994/9 of the Economic and Social Council, another open-ended working group was established to elaborate, in collaboration with the Special

Rapporteur on the sale of children, child prostitution and child pornography and the Committee on the Rights of the Child, guidelines for a possible draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as well as basic measures for their prevention and eradication. The working group submitted the guidelines for the proposed draft optional protocol to the Commission at its fifty-first session in March 1995. In its resolution 1995/78, the Commission decided that the working group should elaborate, in close cooperation with the Special Rapporteur and the Committee, a draft optional protocol based on the guidelines contained in its report (E/CN.4/1995/95, annex I). A representative of the Committee on the Rights of the Child was invited to attend the next session of the working group

22. As at 15 July 1995, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families had been ratified by five States and signed by two more. It requires 15 more ratifications to enter into force.

(e) Promotion of human rights education

23. Considering Commission on Human Rights resolution 1994/51, in which the Commission invited the Secretary-General to submit to the General Assembly a plan of action for a decade for human rights education, the General Assembly, in its resolution 49/184 of 23 December 1994, welcomed the Plan of Action for the United Nations Decade for Human Rights Education, contained in the report of the Secretary-General (A/49/261 and Add.1) and proclaimed the 10-year period beginning on 1 January 1995 the United Nations Decade for Human Rights Education.

24. The Plan of Action emphasized the special role of the treaty bodies in formulating appropriate recommendations to States parties with the aim of building a universal culture of human rights. All of the treaty bodies, in their concluding observations, regularly encourage States parties to give consideration to the inclusion of the respective international human rights instrument in the school and training curricula for the professions relevant to that instrument. States parties are also encouraged to make the instruments well known and accessible within the framework of non-formal education.

25. The Committee against Torture, on a number of occasions, has emphasized the need to establish educational, informational and training programmes regarding the prohibition of torture for medical personnel, judges, law enforcement officials and police, prison and military personnel. The Committee on Economic, Social and Cultural Rights, at its eleventh session in November 1994, devoted its day of general discussion to the topic of human rights education. The Committee on the Rights of the Child has recently encouraged States parties to use the Decade to launch nationwide campaigns to sensitize the general public to the provisions and principles of the Convention on the Rights of the Child.

26. In addition, the chairpersons informally agreed to consider drafting a general comment on human rights education which, after being adopted by all the treaty bodies individually, could become the first general comment applying to the whole treaty system.

2. Reporting

(a) Overdue reports

27. The continuing problem of overdue State reports is of great concern to all of the treaty bodies. In particular more than 80 per cent of the States parties are late in submitting their reports under the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. The treaty bodies regularly recommend that in preparing reports States parties seek assistance, which is available upon request, from the technical cooperation services of the Centre for Human Rights, and periodically send reminders to States parties whose reports are overdue. They also include information on overdue reports in their annual reports to the General Assembly or, in the case of the Committee on Economic, Social and Cultural Rights, to the Economic and Social Council.

28. The Committee on the Elimination of Racial Discrimination has also established a procedure whereby, with regard to States parties whose reports are most overdue, it examines the situation in that State party based on the last report submitted. The Committee has decided to conduct second reviews, at its forty-seventh session in August 1995, of the situations in States parties which have not submitted a report following an earlier review.

29. In the case of long overdue initial reports, the Committee on Economic, Social and Cultural Rights proceeds to examine the situation in that State party on the basis of all available information. If a State party indicates that a report will be submitted, the Chairman is authorized to defer consideration of the situation in that State party for no longer than one session.

30. At each spring session, the officers of the Human Rights Committee meet with the Permanent Representatives of States parties whose reports are more than four years overdue to stress the importance of their fulfilling their reporting obligations and to assess whether assistance could be provided by the Centre for Human Rights to that effect.

31. The Committee on Torture has decided that, in the case of States parties whose reports are more than 12 months overdue, the Chairman of the Committee may be requested to discuss reporting obligations or to address a letter on this question to the Minister for Foreign Affairs of the State party concerned.

32. Seminars and training courses on reporting procedures were organized both at the regional level and under the fellowship programme of the Centre for Human Rights in 1994 and others are planned for 1995. Programmes of

collaboration in this regard have been developed between the Centre, the International Training Centre of the International Labour Organization and the Association for Cultural and Technical Cooperation (ACCT).

(b) Backlog in considering reports

33. As at 30 June 1995, the treaty bodies faced a cumulative backlog of 113 reports. Of this number, 38 were reports pending consideration by the Committee on the Elimination of Discrimination against Women. 1/ The Committee has repeatedly indicated that the limitation on the duration of its sessions to not more than two weeks annually, as provided in the Convention, had become a serious obstacle and that the temporary extension of sessions to three weeks could not be expected to eliminate the backlog. Accordingly, it recommended to the States parties to the Convention on the Elimination of All Forms of Discrimination against Women and to the Commission on the Status of Women that article 20 of the Convention be amended to allow the Committee to meet annually for such periods of time as necessary to allow for the effective performance of its functions under the Convention. The Commission on the Status of Women endorsed that recommendation at its thirty-ninth session, in March 1995. A special meeting of the States parties to the Convention was held on 22 May 1995, which adopted the amendment to article 20 of the Convention, decided that the amendment would enter into force when approved by the General Assembly and accepted by a two-thirds majority of the States parties.

34. The Committee on Economic, Social and Cultural Rights has 16 reports pending consideration, which will require at least three sessions to examine. On several occasions the Committee drew attention to the fact that, although its workload has consistently required it to hold two sessions annually, only one regular session was foreseen by the Economic and Social Council, and that a second annual session had been approved each year on an exceptional basis for a number of years. At its substantive session of 1995, held in July 1995, the Council carried out its five-year review of the composition, organization and administrative arrangements of the Committee and authorized the holding of a second session by the Committee on a regular basis from 1996.

35. The Committee on the Rights of the Child has 21 reports pending consideration, which will require at least three sessions to examine. In response to the Committee's proposal to hold an additional session each year as an urgent solution to the situation, the General Assembly, in its resolution 49/211 of 23 December 1994, approved the recommendation regarding the increase to three of the number of annual sessions of the Committee as from 1995, as well as the number of sessions of its pre-sessional working group.

36. The Human Rights Committee had 20 reports awaiting consideration, of which 5 were examined at its fifty-fourth session in July 1995. At its current pace, the Committee will require three sessions to clear its backlog. The Committee against Torture has no backlog. The Committee on the

---

1/ This information does not include reports which may have been submitted to the Committee between 1 November 1994 and 30 June 1995.

Elimination of Racial Discrimination has a backlog of 18 documents submitted by States parties, containing a total of 55 reports. At the current pace at which the Committee examines State reports, the examination of all of them is likely to be concluded at the forty-eighth session in March 1996.

(c) Reporting burden on States

37. The question of the reporting burden on States has been raised by the Commission on Human Rights on several occasions, most recently in its resolution 1995/92, in which it urged the treaty bodies and their chairpersons to continue to examine ways of reducing the duplication of reporting required under the different instruments, as well as generally reducing the reporting burden on States parties. Towards this end, the Commission in the same resolution and the General Assembly in resolution 49/178 urged the treaty bodies and their chairpersons to:

(a) Identify where cross-referencing could be used in report writing;

(b) Recommend, where appropriate, the designation of specific national administrative units to coordinate reports to all treaty bodies;

(c) Coordinate among themselves and the International Labour Organization to identify overlap between respective instruments and conventions; and

(d) Consider the utility of single comprehensive reports and of replacing periodic reports with specifically tailored or thematic reports.

38. The treaty bodies and their chairpersons were requested to report to the Commission on the results of their examination of these matters.

(d) Role of non-governmental organizations

39. In its resolution 1995/92, the Commission on Human Rights recognized the important role played by non-governmental organizations in the effective implementation of all human rights instruments.

40. The Committee on the Rights of the Child, in its rules of procedure, provides for precise ways of cooperation with non-governmental organizations. Cooperation includes their role in increasing public awareness of the Convention, developing educational and research programmes, as well as ensuring follow-up to the decisions and recommendations of the Committee. Non-governmental organizations are also invited to provide expert advice to the pre-sessional working group of the Committee.

41. The Committee on the Elimination of Racial Discrimination also operates closely with NGOs. During the Committee's forty-sixth session in March 1995, a meeting of non-governmental organizations on the work of the Committee was attended by 20 non-governmental organizations and three members of the Committee.

42. The Committee on Economic, Social and Cultural Rights has formally incorporated the contributions of NGOs in its proceedings by allowing them to make presentations to the Committee's pre-sessional working group and before the Committee itself at the beginning of each session.

43. The Committee against Torture, as the other treaty bodies, has developed the practice of inviting, generally two months before the Committee's sessions, those NGOs that closely follow the activities of the Committee to submit information concerning States parties whose reports have been scheduled for consideration. Further, under article 20 of the Convention against Torture, non-governmental organizations have an important role in providing the Committee with information relating to its confidential inquiries on systematic practices of torture.

3. Early warning and preventive procedures

44. In its resolution 1995/92, the Commission welcomed all appropriate measures the human rights treaty bodies might take, within their mandates, in response to situations of massive human rights violations, including bringing those violations to the attention of the High Commissioner for Human Rights, the Secretary-General and United Nations bodies competent in the field of human rights, and requested the High Commissioner, acting within his mandate, to coordinate and consult throughout the United Nations system in that regard.

45. Since its forty-fourth session in March 1994, the Committee on the Elimination of Racial Discrimination has incorporated in its agenda an item entitled "Early warning and urgent procedures". Under this agenda item, the Committee may review the human rights situation in States parties that give cause for special concern, and States listed under this agenda item remain listed until the Committee decides that their human rights situation no longer requires it. At its forty-fifth session in July 1994, the Committee considered the human rights situation in five States parties from which the Committee had either requested urgent reports or on which it had taken other appropriate action within its mandate. Accordingly, the human rights situation in those five States parties and in five others newly added under the same agenda item were considered at the forty-sixth session in March 1995.

46. In the light of events that indicate that the enjoyment of human rights protected under the Covenant have been seriously affected in certain States parties, the Human Rights Committee has, since its forty-first session in April 1991, begun to request such States parties to submit special urgent reports on the situation, generally within three months. In addition, when the consideration of an initial or periodic report reveals a grave human rights situation, the Committee may request the State party concerned to receive a mission consisting of one or more members of the Committee in order to resume its dialogue with the State party, develop a fuller understanding of the situation and make appropriate suggestions or recommendations. In 1994, two such reports were requested.

47. The Committee on the Rights of the Child emphasizes a spirit of dialogue and cooperation in the development of early warning and preventive procedures. The Committee has recently drawn its concern about the plight of children in Rwanda to the attention of the Special Rapporteur of the Commission on Human

Rights on the situation of human rights in Rwanda. The Special Rapporteur welcomed the Committee's suggestion that he include in his future reports a separate chapter on the rights of the child. He also expressed his readiness to address the question of the instrumentalization and victimization of children by the conflict, including in the area of juvenile justice.

4. External relations of treaty bodies

(a) Integration within the United Nations family of organizations and bodies

48. In its resolution 1995/92 and previous resolutions on the effective implementation of international human rights instruments, the Commission on Human Rights invited the specialized agencies and other United Nations bodies and the treaty bodies to develop effective means for further cooperation between them, bearing in mind the responsibilities of the High Commissioner for Human Rights. Accordingly, each of the treaty bodies has begun to address this issue and regularly receives information from the United Nations specialized agencies and bodies and from Special Rapporteurs of the Commission on Human Rights regarding specific State parties under consideration. The views of the treaty bodies on these and other issues were conveyed by the Chairman of the Fifth Meeting of Chairpersons of Treaty Bodies to the Commission at its fifty-first session in February 1995.

49. The Committee on the Rights of the Child holds meetings with United Nations bodies and specialized agencies and other competent bodies on a regular basis, at least once a year, and has recommended that a focal point on the Convention be established within each relevant United Nations body or specialized agency to enhance existing coordination. One important area identified for further integration is the field of advisory services and technical cooperation. At the request of the Committee on the Rights of the Child, the High Commissioner for Human Rights has taken the initiative in the organization of regular inter-agency meetings to enhance international cooperation in implementing the technical cooperation related recommendations of the Committee.

50. Cooperation between the Committee on the Elimination of Racial Discrimination and the International Labour Organization (ILO) has been strengthened significantly during recent sessions. In addition, at its forty-sixth session in March 1995, the Committee conducted dialogue with the Special Rapporteur of the Sub-Commission on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Special Rapporteur of the Commission on the situation of human rights in the former Yugoslavia. Matters discussed under the agenda item entitled "Early warning and preventive action" have been brought to the attention of the High Commissioner for Human Rights. On 8 August 1995, the Committee held a joint meeting with the Sub-Commission on Prevention of Discrimination and Protection of Minorities and its Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

51. At its fifty-second session, in October 1994, the Human Rights Committee decided to invite thereafter representatives of specialized agencies and other United Nations bodies to make oral presentations to the Committee's

pre-sessional working group on article 40 of the International Covenant on Civil and Political Rights, which conducts preliminary reviews of periodic reports scheduled to be considered by the plenary.

52. The Committee against Torture has developed close cooperation and collaboration with United Nations mechanisms dealing with measures to combat torture, such as the Special Rapporteur of the Commission on Human Rights on the question of torture and the United Nations Voluntary Fund for Victims of Torture. In particular, it draws the attention of reporting States to the activities of the Voluntary Fund and encourages them to make generous contributions to it.

(b) Cooperation with other treaty bodies

53. Each treaty body systematically receives information on the deliberations and comments that the other treaty bodies make upon concluding their examination of State party reports and human rights situations.

54. In addition, the Committee against Torture has developed close cooperation in the exchange of information with the European Committee for the Prevention of Torture established by the Council of Europe under the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

(c) Provision of public information

55. The treaty bodies have stressed the importance of increasing awareness of their work in order to increase the enjoyment of the rights covered under the various instruments. In its resolution 49/178, the General Assembly welcomed the recommendation of the Fifth Meeting of the Chairpersons of the Treaty Bodies that the treaty bodies urge the States parties to translate, publish and make available to the media the full text of the concluding observations on their reports to the treaty bodies. In the same resolution, the Assembly requested the High Commissioner for Human Rights to ensure that recent reports and the summary records of committee discussions pertaining to them, as well as concluding observations and final comments of the treaty bodies, were made available in the United Nations information centres in the countries submitting those reports. The Assembly also invited the Department of Public Information of the Secretariat to publish at the end of each year, as a separate volume, a compilation of all concluding observations adopted during that year by treaty bodies and requested the High Commissioner to ensure that the Manual on Human Rights Reporting was updated at the earliest opportunity in all the official languages, and that due regard was paid to the recommendations of the Fifth Meeting of Chairpersons. Action has been initiated to revise the Manual and to include a chapter on the Convention on the Rights of the Child. In its resolution 49/187, the General Assembly urged the Department of Public Information to continue to use United Nations information centres for the purpose of timely dissemination of basic information and reference materials on human rights and fundamental freedoms, including the reports of States parties under international human rights instruments.

56. In addition to these recommendations, some of the treaty bodies have begun to engage in other activities to increase awareness of their work. The Committee on Economic, Social and Cultural Rights is currently examining ways to produce public information videos about its activities with the collaboration of the Department of Public Information. It has agreed that, at least one month before a State report submitted under the International Covenant on Economic, Social and Cultural Rights is considered, the text of that report should be made available at the United Nations information centre responsible for the reporting country, along with a press release indicating the main issues to be dealt with in relation to that report. In addition, the Centre for Human Rights has been requested to revise and reissue Fact Sheet No. 16 on the work of the Committee. The Committee on the Rights of the Child has assigned one of its members to draft guidelines for the revision of the Centre's Fact Sheet No. 10 on the rights of the child.

57. Members of the various treaty bodies continued to participate in conferences and seminars in which they were able to draw attention to their monitoring activities.

5. Secretariat support

(a) Staffing requirements and facilities

58. The Human Rights Committee and the Committee against Torture in their respective reports to the General Assembly (A/49/44 and A/50/44) emphasized that the greater complexity and more intensive pace of their operations, resulting from the increased number of States parties, as well as from qualitative changes in their methods of work, have added significantly to the workload of the Secretariat in relation to the monitoring of States parties' reports. Accordingly, the Committees requested the Secretary-General to take the necessary steps to ensure a substantial increase in the specialized staff assigned to service the Committees.

59. The Committee on Economic, Social and Cultural Rights has on several occasions drawn attention to the lack of specialist staff in the field of economic, social and cultural rights within the Centre, which impedes its ability to engage in research and other activities. At its twelfth session, the Committee requested that urgent measures be taken to ensure at least a minimal amount of expert assistance to the Committee. It also raised the issue of the lack of resource and documentation facilities for its members during Committee sessions. The Committee on the Rights of the Child has also requested on several occasions that secretariat support to the Committee be strengthened.

60. In accordance with the relevant recommendations made by the Chairpersons, the Committee on the Elimination of Discrimination against Women recommended at its latest session, in February 1995, that the Committee should be relocated to Geneva and that servicing be provided by the Centre for Human Rights.

(b) Computerization

61. Pursuant to Commission on Human Rights resolution 1989/46, a task force on computerization was established to examine the question of computerization of the work of the treaty-monitoring bodies. In its final report to the Commission (E/CN.4/1990/39) the Task Force recommended computerization to facilitate compliance by States parties with their reporting obligations and to increase the efficiency of the treaty bodies and, in that regard, urged that a database be developed for the treaty bodies.

62. In its resolution 1990/21 of 23 February 1990, the Commission on Human Rights having considered the report of the Task Force on Computerization and recommended to the States Members of the United Nations, particularly those States which were parties to the United Nations human rights instruments, to make generous contributions to cover the initial one-time cost of the proposed database system.

63. In accordance with this and subsequent resolutions of the Commission on Human Rights, the Economic and Social Council and the General Assembly, in 1992, the Secretary-General corresponded with the States Members of the United Nations requesting generous contributions for the establishment of the proposed database. As at 1 July 1995, of the US$ 508,500 initially required, according to the report of the Task Force, to establish the proposed database, only US$ 111,643 had been received in contributions from Member States.

64. Subsequently, the Commission has repeated on several occasions, most recently in its resolution 1995/92, its request to the Secretary-General that he seek voluntary contributions from the States Members of the United Nations. In its resolution 48/120, the General Assembly repeated its request to the Secretary-General to give high priority to establishing a computerized database. In the light of the foregoing and the insufficient level of funds received, the Secretary-General, in July 1995, sent a second invitation to Member States to contribute to the establishment of the database.

65. The full-text information retrieval and database system being developed for the Committee on the Rights of the Child jointly by the Centre and the United Nations Children's Fund will serve as a model for the database to be developed for all of the United Nations human rights treaty bodies.

6. Financing of treaty bodies

66. It may be recalled that, in accordance with the relevant amendments adopted respectively by the States parties to the International Convention on the Elimination of All Forms of Racial Discrimination and by the States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and endorsed by the General Assembly in its resolution 47/111, the Committee on the Elimination of Racial Discrimination and the Committee against Torture have been financed under the regular budget of the United Nations as from January 1994. By 30 June 1995, 17 States parties of the 86 required for the entry into force of the amendment to the International Convention on the Elimination of All Forms of Racial Discrimination and 16 States parties of the 45 required for the entry into

force of the amendment to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment had notified the Secretary-General of their acceptance.

67. The Committee on Economic, Social and Cultural Rights has requested that the Economic and Social Council approve the allocation of additional resources that would enable the Committee to carry out its functions better and that would remedy inequities relative to the other treaty bodies. During its substantive session of 1995, in July 1995, the Economic and Social Council approved the Committee's request that US$ 10,000 per year be allocated from within the overall budget of the Centre to enable specialists to participate in its days of general discussion and to commission papers dealing with those technical dimensions of its work requiring expert collaboration, particularly with respect to the development of indicators. In addition, the Council urged that the General Assembly take speedy action on Council decision 1993/297 of 28 July 1993, in which it endorsed the request of the Committee to authorize payment to each of its members of an honorarium equivalent to that payable to the members of other relevant treaty bodies.

7. Monitoring the human rights of women

68. In the Vienna Declaration and Programme of Action, the World Conference on Human Rights stated that the equal status and human rights of women should be regularly and systematically addressed throughout relevant United Nations bodies and mechanisms and that the treaty monitoring bodies should include the status of women and the human rights of women in their deliberations and findings, making use of gender-specific data. Accordingly, the Chairpersons agreed at their Fifth Meeting, in 1994, that the enjoyment of the human rights of women should be closely monitored by each treaty body within the competence of its mandate, which was welcomed by the Commission on Human Rights in its resolution 1995/86, and that one of the purposes of their 1995 meeting would be to exchange views on the elaboration of guidelines on ways to monitor more effectively the human rights of women. In preparation for that meeting, the chairpersons invited each treaty body to consider, within the competence of its mandate, how the monitoring of the human rights of women might be enhanced. The established practices of the various Committees and recent developments with respect to this issue are reviewed below.

69. The Human Rights Committee has decided that lists of issues to be dealt with during the Committee's consideration of States' parties reports should systematically include practical matters concerning equality of status and the human rights of women. In addition, the Committee envisages a revision of its General Comment No. 4, adopted in 1982, on measures to be taken to give effect to article 3 of the International Covenant on Civil and Political Rights, which provides that States parties should ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the Covenant. In addition, at its fifty-third session, in March 1995, the Committee amended its guidelines concerning initial and periodic reports submitted by States parties so as to obtain information on factors affecting the equal enjoyment of women of the rights provided for in each of the articles of the Covenant.

70. In 1990, the Committee on Economic, Social and Cultural Rights revised its reporting guidelines, inter alia, to bring them into line with article 3 of the International Covenant on Economic, Social and Cultural Rights, which provides that States parties should ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the Covenant. The revised guidelines include the provision of gender-specific data by States parties and such data is also systematically sought in the written lists of issues which are submitted to States parties prior to the consideration of their reports by the Committee. In its examination of State reports, the Committee takes into account information provided by reporting States to the Committee on the Elimination of Discrimination against Women, as well as the deliberations and concluding observations of that Committee. At its eleventh session in November 1994, the Committee on Economic, Social and Cultural Rights designated one of its members to follow closely the activities of the Committee on the Elimination of Discrimination against Women.

71. On 21 January 1995, the Committee on the Rights of the Child held a general debate on the girl child, which resulted in a number of recommendations for action to be taken by both the Committee and States parties to promote the rights of the girl child. These recommendations include the establishment by States parties of a system for gathering reliable, gender-specific information and statistics. The Committee should also be provided with information and statistics on inequality and discrimination which may be present, inter alia, in the spheres of education, health and employment. Another recommendation was for strengthened training of health professionals, who should pay attention to the specific health needs of girls, and for changes in the image of women in the media, in advertising and in school textbooks. In addition, it was recommended that the Committee should promote its advisory role, with the support of the United Nations specialized agencies and non-governmental organizations, and should request gender-specific data on all forms of discrimination in the list of questions provided to Governments in connection with the consideration of their reports.

- - - - -